REMARKS

Reconsideration of the pending application is respectfully requested in view of the following observations.

1.   In the Specification

The specification is amended to include appropriate section headings and to remove reference to the claims.

Entry of the amendment to the specification is respectfully requested.

2.   In the Claims

Independent claim 1 is currently amended with the subject matter of claim 10. Claim 10 has been cancelled without prejudice or disclaimer. The claims dependent from claim 10 have been amended so as to depend from claim 1.

Independent claim 18 is currently amended with the subject matter of claim 19. Claim 19 has been cancelled without prejudice or disclaimer. Claim 20 has been amended to depend from claim 18.

Entry of the amendment to the claims is respectfully requested.

3.   Rejection of claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent application publication 2002/0093856 (*Baentsch*) in view of *Proceedings of ACM Sigplan (Shaylor)*

Reconsideration of this rejection is respectfully requested in view of the amendment to claims 1 and 18, and the following observations.

In the rejection, it is acknowledged that *Baentsch* fails to disclose or suggest storing a static variable in RAM. *Shaylor* is relied upon in the combination of *Baentsch* and *Shaylor* to make up for these shortcomings of *Baentsch*.

Upon observing *Shaylor*, it is readily apparent that neither *Baentsch* nor *Shaylor* teaches that the variables memory area is reserved by a Java package implemented in the smart card chip. Both *Baentsch* and *Shaylor* are simply silent on this feature now

required by amended claim 1. The Action does not provide any particular evidence as to where this particular feature of original claim 10 is taught by *Baentsch* and *Shaylor*.

It is therefore submitted that the skilled person would not understand or derive every feature required by claim 1 from the combined teachings of *Baentsch* and *Shaylor*. Claim 1 is therefore patentable over the combination of *Baentsch* and *Shaylor*. The claims dependent from claim 1 are patentable based on their dependency from claim 1 and their individually recited features.

Moreover, with regard to amended claim 18, neither *Baentsch* nor *Shaylor* teaches a Java program code implemented is a Java package. Again, both *Baentsch* and *Shaylor* are simply silent on this feature required by amended claim 18. The Action does not provide any particular evidence as to where this particular feature of original claim 19 is taught by *Baentsch* and *Shaylor*.

It is therefore submitted that the skilled person would not understand or derive every feature required by claim 1 from the combined teachings of *Baentsch* and *Shaylor*. Claim 18 is therefore patentable over the combination of *Baentsch* and *Shaylor*. The claims dependent from claim 18 are patentable based on their dependency from claim 18 and their individually recited features.

In summary, it is submitted that by incorporating the feature according to which variables memory area is reserved by a special Java package that is implemented in the system memory, as required by the pending claims, the pending claims are patentable over the teachings of *Baentsch* and *Shaylor*.

Since in general, the allocation and management of RAM memory is a task of the operating system, it is asserted that the features of the pending claims is inventive over the combination of *Baentsch* and *Shaylor* because the features permit the described functionality, as described in paragraph [0026] of the specification as being simple and fast access to global variables, without fundamental changes in the overall architecture by providing the accordingly design special Java package.

In view of these observations, withdrawal of this rejection is therefore requested.

4.   Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

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